CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

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## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JOHN BY:	F.	CORC	ORAN	CLERK
	D	EPUT%	CLER	JA .

SAMMIE MCCOLLOUGH, Petitioner,	) Civil Action No. 7:06-cv-00712	
v.	) <u>FINAL ORDER</u>	
TERRY O'BRIEN, WARDEN, Respondent.	) By: Hon. James C. Turk Senior United States District Judge	

In accordance with the accompanying memorandum opinion, it is hereby

## ADJUDGED AND ORDERED

that respondent's motion to dismiss shall be and is hereby **GRANTED**; the petition for habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED**; and the action is hereby stricken from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This 10 day of July, 2007.

Senior United States District Judge